

EXHIBIT 1

From: Shawn Sheehy
Sent: Tuesday, April 25, 2023 12:37 PM
To: Sarah Chen
Cc: Mateo Forero; Sharon Norwood; Dallin Holt; Joseph Russo; Angela Olalde; Jonathan Lienhard; Elizabeth Holcombe; Jason Torchinsky; Jordan Raschke Elton; Adrienne Spoto; Alexandra Copper; Bernadette Reyes; Chad Dunn; DaWuan Norwood; Garrett, Kathryn; Gear, Bruce (CRT); Hani Mirza; Hilary Harris Klein; Jayaraman, Tharuni (CRT); Joaquin Gonzalez; Mancino, Richard; Mark Gaber; Neil Baron; Newkirk, Zachary (CRT); Nickolas Spencer; Orion de Nevers; Silberstein, Andrew; Simone Leeper; Smith, K'Shaani (CRT); Sonni Waknin; Valencia Richardson; Vall-Ilobera, Diana; Wake, Brittany (CRT); Zachary Dolling; Zhu, Molly; Meza, Catherine (CRT)
Subject: RE: FW: Summary Judgment Deadline

Sarah,

Would you please be more specific as to what you mean by "the schedule?" Are you referring to the remaining schedule on the Docket Control Order?

I don't mind meeting and conferring concerning the remainder of the schedule on the current DCO.

But given that the summary judgment deadline is this Friday, we need to file this motion to extend the summary judgment deadline and we intend to do so by 1pm central. Im happy to do a brief meet and confer on the summary judgment deadline between now and 12:30pm central.

Thank you,

Shawn Sheehy
Holtzman Vogel Baran Torchinsky & Josefiak PLLC
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202-941-6421

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2300 N Street, NW, Ste 643-A
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From: Sarah Chen <schen@texascivilrightsproject.org>

Sent: Tuesday, April 25, 2023 12:25 PM

To: Shawn Sheehy <ssheehy@holtzmanvogel.com>

Cc: Mateo Forero <mforero@holtzmanvogel.com>; Sharon Norwood <snorwood@holtzmanvogel.com>; Dallin Holt <dholt@holtzmanvogel.com>; Joseph Russo <jrusso@greerherz.com>; Angela Olalde <aolalde@greerherz.com>; Jonathan Lienhard <jlienhard@holtzmanvogel.com>; Elizabeth Holcombe <eholcombe@holtzmanvogel.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Adrienne Spoto <Adrienne@scsj.org>; Alexandra Copper <ACopper@campaignlegalcenter.org>; Bernadette Reyes <bernadette@uclavrp.org>; Chad Dunn <chad@brazilanddunn.com>; DaWuan Norwood <dnorwood@campaignlegalcenter.org>; Garrett, Kathryn <KGarrett@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Hani Mirza <hani@texascivilrightsproject.org>; Hilary Harris Klein <hilaryhklein@scsj.org>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Mancino, Richard <RMancino@willkie.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Nickolas Spencer <nas@naslegal.com>; Orion de Nevers <OdeNevers@campaignlegalcenter.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Smith, K'Shaani (CRT) <k'shaani.smith@usdoj.gov>; Sonni Waknin <sonni@uclavrp.org>; Valencia Richardson <VRichardson@campaignlegalcenter.org>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; Zachary Dolling <Zachary@texascivilrightsproject.org>; Zhu, Molly <MZhu@willkie.com>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>

Subject: Re: FW: Summary Judgment Deadline

Shawn,

NAACP Plaintiffs object to the June 2, 2023 deadline. NAACP Plaintiffs would like to meet and confer on the schedule today before you file a motion and can be available anytime this afternoon, and would like to know Defendants' and other Plaintiffs' availability.

Best,
Sarah

On Tue, Apr 25, 2023 at 10:25 AM Shawn Sheehy <ssheehy@holtzmanvogel.com> wrote:

Sarah,

Thank you. We disagree with the May 12th deadline. There are at least 4 depositions that still need to occur, one of which will likely result in a discovery dispute concerning documents (Commissioner Holmes), and one that is pending a ruling from the Court, (Tom Bryan). Then there are another potential five depositions tied to how the Court rules on Plaintiffs' Motions to Compel. These include Dale Oldham's deposition and the four depositions that remain open pending resolution of the Motions to Compel.

We therefore propose that the deadline for summary judgment be moved to one week after the last deposition or June 2, 2023, whichever is earlier.

We intend to file the motion with that language by 1pm central time. If we don't hear from Plaintiffs before then, we will note Plaintiffs' objection to Defendants' proposal.

Thank you,

Shawn Sheehy
Holtzman Vogel Baran Torchinsky & Josefiak PLLC
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From: Sarah Chen <schen@texascivilrightsproject.org>

Sent: Monday, April 24, 2023 5:02 PM

To: Shawn Sheehy <ssheehy@holtzmanvogel.com>; Mateo Forero <mforero@holtzmanvogel.com>; Sharon Norwood <snorwood@holtzmanvogel.com>; Dallin Holt <dholt@holtzmanvogel.com>; Joseph Russo <jrusso@greerherz.com>;

Angela Olalde <aolalde@greerherz.com>; Jonathan Lienhard <jlienhard@holtzmanvogel.com>; Elizabeth Holcombe <eholcombe@holtzmanvogel.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>
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Subject: Re: FW: Summary Judgment Deadline

Shawn,

Plaintiffs' position is that any changes to the scheduling order should rely on set dates and address all remaining deadlines. We therefore do not agree with your proposal as written.

Instead we propose that the dispositive motion deadline be extended to either, as you suggest, one week after the last scheduled deposition, or two weeks to May 12, whichever is earlier. We propose that oppositions to dispositive motions be due 26 days later to grant additional working days to respond given the Memorial Day holiday; remaining deadlines be extended two or three weeks; and that we request a pretrial conference instead of a docket call in light of our set trial date. The scheduling order would therefore look like this:

Proposed Amended Scheduling Order

	Current Deadline & Source	Agreed Amended Deadline
Dispositive Motions	4/28/2023 (Doc. 66 ¶ 6)	5/12/2023 (or one week after the last deposition is scheduled, whichever is earlier)
Opposition to Dispositive Motions	5/19/2023 (S.D. Tex. L.R. 7.3-7.4)	6/7/2023 (or 26 days after the dispositive motion is filed)
Reply to Dispositive Motions	5/26/2023 (S.D. Tex. L.R. 7.3-7.4)	6/14/2023 (or 33 days after the dispositive motion is filed)
Pretrial Motions (other than dispositive motions)	5/26/2023 (Doc. 66 ¶ 7)	6/9/2023

Exchange Pretrial Materials	6/2/2023 (Doc. 66 ¶ 8; <i>see also</i> Galv. Div. R. Prac. 10, 14 (tying deadlines to docket call))	6/16/2023
Pretrial Filings & Tabbed Binders - <i>Exhibit list</i> - <i>Witness list</i> - <i>Motions in limine</i> - <i>Deposition designations and objections</i>	6/8/2023 (Doc. 66 ¶ 9; <i>see also</i> Galv. Div. R. Prac. 10, 14 (tying deadlines to docket call))	6/29/2023
Docket Call or Pretrial Conference	6/9/2023 Docket Call (Doc. 66 ¶ 9)	6/30/2023 Pretrial Conference
Trial Date	8/7/2023 (Doc. 117)	8/7/2023

Please advise as to your position on Plaintiffs' proposal.

Separately, I'd like to note that I and Diana Vall-llobera were not on your initial email regarding the deadline and that all counsel of record should be included on correspondence.

Best,

Sarah

Sarah Xiyi Chen

Pronouns: she/her

Attorney, Voting Rights Program

Texas Civil Rights Project

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From: Shawn Sheehy <ssheehy@HoltzmanVogel.com>

Sent: Monday, April 24, 2023 11:24 AM

To: Mateo Forero <mforero@HoltzmanVogel.com>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; 'bernadette@uclavrp.org' <bernadette@uclavrp.org>; 'chad@brazilanddunn.com' <chad@brazilanddunn.com>; Garrett, Kathryn <KGarrett@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; 'hani@texascivilrightsproject.org' <hani@texascivilrightsproject.org>; 'joaquin@texascivilrightsproject.org' <joaquin@texascivilrightsproject.org>; Mancino, Richard <RMancino@willkie.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; 'neil@ngbaronlaw.com' <neil@ngbaronlaw.com>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; 'nas@naslegal.com' <nas@naslegal.com>; Orion de Nevers <OdeNevers@campaignlegalcenter.org>; Polizzano, Michelle <MPolizzano@willkie.com>; Silberstein, Andrew <ASilberstein@willkie.com>; Simone Leeper <Sleeper@campaignlegalcenter.org>; 'sonni@uclavrp.org' <sonni@uclavrp.org>; Suriani, JoAnna <JSuriani@willkie.com>; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; 'Zachary@texascivilrightsproject.org' <Zachary@texascivilrightsproject.org>; Zhu, Molly <MZhu@willkie.com>; Smith, K'Shaani (CRT) <K'Shaani.Smith@usdoj.gov>; Berman, Robert (CRT) <Robert.Berman@usdoj.gov>; Gwen Kelly <gwen@brazilanddunn.com>; Valencia Richardson <VRichardson@campaignlegalcenter.org>; Dallin Holt <dholt@HoltzmanVogel.com>; Sharon Norwood <snorwood@HoltzmanVogel.com>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; hilaryhklein@scsj.org

Subject: Summary Judgment Deadline

*** EXTERNAL EMAIL ***

Counsel,

Good morning. The deadline to file motions for summary judgment is this Friday, April 28. Given that we still have depositions outstanding and given that we are waiting for a ruling from the Court on the attorney-client privilege issue, I am writing to seek consent to extend the deadline for motions for summary judgment. Defendants propose to extend the deadline to one week after the last deposition is taken.

Please advise Defendants of your position by 5pm central time today.

Thank you,

Shawn Sheehy
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